Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Information disclosure	bstitute	for form I	449A/PTO			Complete if Known				
STATEMENT BY APPLICANT  (see as many sheets as necessary)  Sheet I of I Attorney Docker Number E.M. Mercader  Sheet I of I Attorney Docker Number 19603/3541 (CRF D-2694-02 (MGH  U.S. PATENT DOCUMENTS  Examiner  Examiner  Initials No. Number · Kind Code* (If brown)  US-  US-  US-  US-  US-  US-  US-  US				OCUDE	Application Nu	Application Number 10/00				
First Named Inventor   HYMAN et al.										
Sheet 1 of 1 Attorney Docker Number 19603/3541 (CRF D-2694-02 (MGH   Sheet 1	SIAI					ventor				
Examiner Name   E.M. Mercader		(use as n	nany sheets as necesso	(מיני)						
Sheet   1										
U.S. PATENT DOCUMENTS   Name of Patenties or Applicant of Cited Document   Pages, Columns, Lines, W. Relevant Passages or Refe Figures Appear	Sheet I of I					19603/3541 (CRF D-2694-02 (MGH 1705)				
Examiner Initials			<u> </u>	<u> </u>	IIS PATENT D	CUMENT				
Patication Date Month of Presence or Applicant of Cited Document Publication Date Month Dryvyy Appear of Cited Document Presence or Applicant of Cited Document Publication Date Month Dryvyy Appear Document Month Dryvyy Appear Document Month Dryvyy Appear Document Month Dryvyy Appear Diagnostrik Forsch Unice, Where Relevant Paguer or Relevant Pague		1	U.S. Patent D	ocument	U.S. FATENT D	COMENT	3	T		
US- US- US- US- US- US- US- US- US-  Name of Parentee or Applicant of Cited Document Mid-DD-YYYY Applicant of Cited Document Passages or Relevant Passages or Passages or Relevant Pas		No.1	No. <sup>1</sup> Number - Kind Code <sup>2</sup> (if known)					Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
US- US- US- US-  US-  FOREIGN PATENT DOCUMENTS  Examiner No.1  WO 98/22146 A2  DS-28-1998  WO 96/10363 K1  D4-11-1996  LOCKHEED MARTIN ENERGY SYSTEMS, INC.  WO 94/22361 A1  D1-13-1994  WO 94/22361 A1  D1-13-1994  WO 93/25141 AV  D1-13-1994  WO 94/22361 A1  D1-13-1995  WO 93/25141 AV  D1-13-1996  WO 94/22361 A1  D1-13-1996  WO 94/22361 A							Applicant of Cited Document			
US- US- US-  FOREIGN PATENT DOCUMENTS  Examiner No.1  WO 98/22146 A2  DS-28-1998  FOREIGN PATENT DOCUMENTS  Foreign Patent Document Mod-DD-YYYY Mod-DD-YYYY  Applicant of Cited Document Planes, Where Relevant Pessages or Relevant Figures Appear  Appear  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYYY  Application Date Name of Patentee or Application Date Mod-DD-YYYYY  Relevant Pessages or Relevant Flues, Lines, Where Relevant Pessages or Relevant Flues, Appear  Application Date of Patentee or Application Date Mod-DD-YYYYY  Application Date of Patentee or Application of Cite Document States of Patentee or Applicati		<del>                                     </del>						<del>                                     </del>		
US- US- US-  FOREIGN PATENT DOCUMENTS  Examiner No.1  WO 98/22146 A2  DS-28-1998  FOREIGN PATENT DOCUMENTS  Foreign Patent Document Mod-DD-YYYY Mod-DD-YYYY  Applicant of Cited Document Planes, Where Relevant Pessages or Relevant Figures Appear  Appear  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYY  Application Date Mod-DD-YYYYY  Application Date Name of Patentee or Application Date Mod-DD-YYYYY  Relevant Pessages or Relevant Flues, Lines, Where Relevant Pessages or Relevant Flues, Appear  Application Date of Patentee or Application Date Mod-DD-YYYYY  Application Date of Patentee or Application of Cite Document States of Patentee or Applicati			US-							
FOREIGN PATENT DOCUMENTS  Examiner Initials  Cite No.   Foreign Patent Document Initials   Country Code Number   Kind Code (if known)   Publication Date MM-DD-YYYY   Name of Patente or Applicant of Cited Document   Lines, Where Relevant Passages or Relevant Figures Appear    1 WO 98/22146 A2   05-28-1998   INSTITUT FÜR DIAGNOSTIKFORSCH UNG GMBH AN DER FREIEN UNIVERSITÄT BERLIN    2 WO 96/10363 K1 04-11-1996   LOCKHEED MARTIN ENERGY SYSTEMS, INC.    3 WO 95/29587 A1 11-09-1995   ROEHRICK   NON INVASIVE TECHNOLOGY, INC.    4 WO 94/22361 A1 10-13-1994   NON INVASIVE TECHNOLOGY, INC.    5 WO 93/25141 A1 12-23-1993   UNIVERSITY OF WASHINGTON    6 JP 61-159936   07-19-1996   KUMAGAI   Absorbit of the article (when appropriate), title of the anticle (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),		1						<u> </u>		
FOREIGN PATENT DOCUMENTS  Examiner Initials  Cite No.   Foreign Patent Document Initials   Country Code Number   Kind Code (if known)   Publication Date MM-DD-YYYY   Name of Patente or Applicant of Cited Document   Lines, Where Relevant Passages or Relevant Figures Appear    1 WO 98/22146 A2   05-28-1998   INSTITUT FÜR DIAGNOSTIKFORSCH UNG GMBH AN DER FREIEN UNIVERSITÄT BERLIN    2 WO 96/10363 K1 04-11-1996   LOCKHEED MARTIN ENERGY SYSTEMS, INC.    3 WO 95/29587 A1 11-09-1995   ROEHRICK   NON INVASIVE TECHNOLOGY, INC.    4 WO 94/22361 A1 10-13-1994   NON INVASIVE TECHNOLOGY, INC.    5 WO 93/25141 A1 12-23-1993   UNIVERSITY OF WASHINGTON    6 JP 61-159936   07-19-1996   KUMAGAI   Absorbit of the article (when appropriate), title of the anticle (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),		<del> </del>	US-			· · · · · · · · · · · · · · · · · · ·		<u> </u>		
FOREIGN PATENT DOCUMENTS  Examiner Initials  Cite No. 1 Foreign Patent Document Initials  Country Code' Number		1	1					<u> </u>		
Examiner Initials		1		FC	REIGN PATENT	DOCUME	NTS	.1		
Imitiah No.   No.		Circ	Foreign Paters	<del></del>				Proce Colonia	T	
1 WO 98/22146 A2 05-28-1998 INSTITUT FÜR DIAGNOSTIKFORSCH UNG GMBH AN DER FREIEN UNIVERSITÄT BERLIN  2 WO 96/10363 K1 04-11-1996 LOCKHEED MARTIN ENERGY SYSTEMS, INC.  3 WO 95/29587 A1 11-09-1995 ROEHRICK 4 WO 94/22361 A1 10-13-1994 NON INVASIVE TECHNOLOGY, INC.  5 WO 93/25141 A1 12-23-1993 UNIVERSITY OF WASHINGTON 6 JP 61-159936 07-19-1996 KUMAGAI Absorbed OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),		No.1		Kind Code				Lines, Where Relevant Pessages or Relevant Figures	7	
DIAGNOSTIKFORSCH UNG GMBH AN DER FREIEN UNIVERSITÄT BERLIN  2 WO 96/10363 K1 04-11-1996 LOCKHEED MARTIN ENERGY SYSTEMS, INC.  3 WO 95/29587 A1 11-09-1995 ROEHRICK WO 94/22361 A1 10-13-1994 NON INVASIVE TECHNOLOGY, INC.  5 WO 93/25141 AI 12-23-1993 UNIVERSITY OF WASHINGTON  6 JP 61-159936 07-19-1996 KUMAGAI Absorb OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s),		1	WO 98/2214	6 A 2	05-28-1998	INSTIT	TIT FÜR	Appear	Abstrac	
UNG GMBH AN DER FREIEN UNIVERSITÄT BERLIN  2 WO 96/10363 A1 04-11-1996 LOCKHEED MARTIN ENERGY SYSTEMS, INC.  3 WO 95/29587 A1 11-09-1995 ROEHRICK WO 94/22361 A1 10-13-1994 NON INVASIVE TECHNOLOGY, INC.  5 WO 93/25141 AI 12-23-1993 UNIVERSITY OF WASHINGTON  6 IP 61-159936 07-19-1996 KUMAGAI Absorb OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	a	1	110 30/2214	0.12	03-26-1996				l.	
FREIEN UNIVERSITÄT   BERLIN	ux	1							Ciny	
BERLIN	$\mathcal{L}$	1							1 .	
ENERGY SYSTEMS, INC.  3 WO 95/29587 Al 11-09-1995 ROEHRICK  4 WO 94/22361 Al 10-13-1994 NON INVASIVE TECHNOLOGY, INC.  5 WO 93/25141 Al 12-23-1993 UNIVERSITY OF WASHINGTON  6 JP 61-159936 07-19-1996 KUMAGAI Absorb  OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	Y	<u> </u>							ŀ	
INC.	1	2	WO 96/10363	3 <b>K</b> 1	04-11-1996	LOCK	IEED MARTIN			
3 WO 95/29587 Al 11-09-1995 ROEHRICK 4 WO 94/22361 Al 10-13-1994 NON INVASIVE TECHNOLOGY, INC. 5 WO 93/25141 Al 12-23-1993 UNIVERSITY OF WASHINGTON 6 JP 61-159936 07-19-1996 KUMAGAI Absorb OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s),						ENERC	GY SYSTEMS,			
4 WO 94/22361 AP 10-13-1994 NON INVASIVE TECHNOLOGY, INC.  5 WO 93/25141 AP 12-23-1993 UNIVERSITY OF WASHINGTON  6 JP 61-159936 07-19-1996 KUMAGAI Absorb  OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Initials No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.)., date, page(s), volume-issue number(s),		<u> </u>				INC.		·	<u> </u>	
TECHNOLOGY, INC.  5 WO 93/25141 All 12-23-1993 UNIVERSITY OF WASHINGTON  6 JP 61-159936 07-19-1996 KUMAGAI Absorbly  OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.)., date, page(s), volume-issue number(s),		3	WO 95/29587	All	11-09-1995	ROEHI	UCK			
5 WO 93/25141 Al 12-23-1993 UNIVERSITY OF WASHINGTON 6 JP 61-159936 07-19-1996 KUMAGAI Absorbed OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.)., date, page(s), volume-issue number(s),		4	WO 94/22361	I Al	10-13-1994	NON II	VASIVE			
WASHINGTON  6 JP 61-159936 07-19-1996 KUMAGAI Absorber Of the prior of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, symposium, catalog, etc.)., date, page(s), volume-issue number(s),						TECHN	OLOGY, INC.			
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, syring, catalog, etc.)., date, page(a), volume-issue number(s),		5	WO 93/25141	All	12-23-1993	UNIVE	RSITY OF			
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS  Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.)., date, page(a), volume-issue number(s),	<u> </u>	L				WASH	INGTON			
Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the Initials No. Include name of the author (in CAPITAL LETTERS), title of the Initials No. Include name of the Initials No. In Initials No. Initial	4	6	JP 61-15993 <del>6</del>		07-19-1996	KUMA	GAI		Abstract only	
Initials No. item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(a), volume-issue number(s),	$\overline{\mathbf{v}}$		. 0	THER PRIOR A	RT - NON PATENT	LITERATU	RE DOCUMENTS	•		
publisher, city and/or country where published.			item (book, magazine, journal, serial, symposium, catalog, etc.)., date, page(a), volume-issue number(s),							
	+				publisher, city and/o	r country whe	re published.			
			- ,							
Examiner Gatenten Date Considered 3/14/2007		6	Tomte	7h	, <u></u>		1 3/14/200°	1		

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.